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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

JOHN DOE, on behalf of himself and all others
similarly situated and for the benefit of the general
public,

Plaintiff,

v.

PARTNERSHIP HEALTHPLAN OF
CALIFORNIA, and DOES 1 through 10, inclusive,

Defendants.

Case No. 1:22-CV-03132-YGR

**ADMINISTRATIVE MOTION TO
CONSIDER IF CASES SHOULD BE
RELATED**

Date: N/A

Time: N/A

Courtroom: 1 – 4th Floor

Pursuant to Local Civil Rule 3.12(b), Plaintiff requests an Administrative Order directing that a recently filed action, *Thomas Shriver and James Lee v. Partnership HealthPlan of California*, No. 1:22-cv-03719 (filed June 23, 2022), be deemed related to and assigned to this Court as the Court assigned the low-numbered action.

Pursuant to that Rule, “Whenever a party knows or learns that an action, filed in or removed to this district is (or the party believes that the action may be) related to an action which is or was pending in this District as defined in Civil L.R. 3-12(a), the party must promptly file in the lowest-numbered case an Administrative Motion to Consider Whether Cases Should be Related.” Plaintiff just learned of the pendency of the *Shriver* action in the last few days, and is promptly filing this Motion.

In support of this Administrative Motion, Plaintiff states as follows:

1. *John Doe v. Partnership HealthPlan of California*, Case No: 1:22-cv-03132, was filed in this Court on May 27, 2022, and assigned to this Court on June 1, 2022.

2. Approximately one month later, on June 23, 2022, *Thomas Shriver and James Lee v. Partnership HealthPlan of California*, Case No. 1:22-cv-03719, was filed in this Court. At this point the action is assigned to Magistrate Judge Robert Illman.

3. It appears the civil cover sheet for the *Shriver* action did not list the *Shriver* action as being related to this action.

4. Local Rule 3-14 provides: (a) **Definition of Related Cases.** An action is related to another when:

(1) The actions concern substantially the same parties, property, transaction, or event; and

(2) It appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.

5. Based on a review of the respective Complaints, both this action and the *Shriver* action satisfy these criteria. Both actions name Partnership HealthPlan of California as a Defendant. Both actions arise from the same or substantially identical transactions, happenings, or events (i.e., a ransomware attack on Defendant’s computer system in March 2022 and the alleged unauthorized disclosure and breach of customer data that resulted from that attack). Both actions also assert similar causes of action.

6. Based on the similarity of the Complaints, the cases would also call for a determination of certain similar questions of law or fact; could entail an unduly burdensome duplication of effort and expense by both the Court and the parties if heard by different Judges; and may seek relief that could result in a party being subject to conflicting orders of this Court.

7. A copy of this motion, together with a proof of service, is being electronically served on counsel for all known parties in each apparently related action. As the *Shriver* action has not been assigned to a judge at this time, a courtesy copy of the motion is being lodged with the assigned Magistrate Judge in the *Shriver* action.

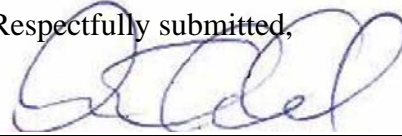
8. Therefore, Plaintiff respectfully requests this Court enter an order determining the two actions related and that the Clerk of Court be directed to reassign the *Shriver* action to this Court and to notify the parties and the affected Judges and Magistrate Judges accordingly.

9. In addition, pursuant to Local Rule 3-14, there is another action presently pending in the Superior Court for the State of California, County of Humboldt, that involves all or a material part of the same subject matter and all or substantially all of the same parties as this action: *John Doe, on behalf of himself and all others similarly situated and for the benefit of the general public, v. Partnership HealthPlan of California, and DOES 1 through 25, inclusive*, Superior Court for the State of California, County of Humboldt Case No. CV-22-00606, filed on May 5, 2022. As with the *Shriver* action, the complaint in that action names Partnership HealthPlan of California as a Defendant, and both actions arise from the ransomware attack on Defendant's computer system in March 2022 and the unauthorized disclosure and breach of customer data that resulted from that attack. The parties are discussing ways to coordinate proceedings in both actions to avoid conflicts, conserve resources, and promote an efficient determination of this action. The parties will advise the Court on the progress of such discussions prior to any response to the Complaint in this action being due.

10. By stipulation, the response to the Complaint filed in this action is due on July 21, 2022.

Dated: July 6, 2022

Respectfully submitted,



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